

ASSEMBLY BILL

No. 2544

Introduced by Assembly Member Roger Hernández

February 21, 2014

An act to add Section 42238.035 to the Education Code, relating to school finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2544, as introduced, Roger Hernández. School finance: preschool funding.

Existing law establishes a public school system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires the Superintendent of Public Instruction to calculate, for each county superintendent of schools, school district, and charter school, a base entitlement for the transition to the local control funding formula that includes, among other things, the sum of the amount of funding received from appropriations contained in certain budget items of the Budget Act of 2012.

This bill would establish the school district and charter school preschool funding formula. The bill would require the Superintendent, commencing with the 2015–16 fiscal year, and each year thereafter, to calculate and apportion, a preschool funding grant for each school and charter school in the state pursuant to a specified funding formula. The bill would require the school district and charter school to use the money to fund either existing or startup preschools in the district or at the charter school. The funding formula would be based on the number of 4 year olds who reside in a school district who are economically

disadvantaged, an English learner, or a foster youth, as defined, or a combination thereof, as provided by each school district.

By imposing new mandates on a school district, the bill would establish a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42238.035 is added to the Education
2 Code, to read:
3 42238.035. (a) The amount computed pursuant to this section
4 shall be known as the school district and charter school preschool
5 funding formula.
6 (b) For purposes of this section, the following terms have the
7 following meanings:
8 (1) “Economically disadvantaged child” means a child that is
9 eligible to receive a free or reduced-price meal pursuant to Section
10 49552.
11 (2) “English learner” has the same meaning as it does in Section
12 52164.
13 (3) “Foster youth” has the same meaning as it does in Section
14 300 and 601 of the Welfare and Institutions Code.
15 (c) (1) Commencing with the 2015–16 fiscal year and each
16 fiscal year thereafter, the Superintendent shall annually calculate
17 a preschool funding grant for each school district and charter school
18 in the state pursuant to this section, equal to the base grant
19 calculated pursuant to subparagraph (A) of paragraph (1) of
20 subdivision (d) of Section 42238.02. The school district and charter
21 school shall use the money to fund either existing or startup
22 preschools in the school district or at the charter school.
23 (2) For purposes of making the calculations in subdivisions (d)
24 and (e), the Superintendent shall use information obtained from

1 each school district on the number of economically disadvantaged
2 children, English learners, and foster youth who are four years old
3 at the time of making the calculation and residing in the school
4 district.

5 (3) For purposes of calculating the grant pursuant to this section,
6 a child may be counted more than once if the child meets more
7 than one of the definitions in subdivision (b).

8 (d) The Superintendent shall compute a supplemental preschool
9 grant add-on equal to 35 percent of the base grant as specified in
10 subdivision (c) for each school district's percentage of four year
11 olds residing in the district, or in the case of a charter school, the
12 percentage of four year olds residing in the school district in which
13 the charter school is physically located, in each of the categories
14 specified in subdivision (b). The supplemental preschool grant
15 shall be calculated by multiplying the base grants specified in
16 subdivision (c) by 35 percent and by the sum of the percentages
17 of four year olds in the categories specified in subdivision (b) in
18 that school district. For purposes of calculating the grant for a
19 charter school physically located in more than one school district,
20 the Superintendent shall use the school district with the highest
21 number of four year olds residing in the school district where the
22 charter school is physically located.

23 (e) The Superintendent shall compute a concentration preschool
24 grant add-on equal to 35 percent of the base grant as specified in
25 subdivision (c) for each school district's percentage of four year
26 olds residing in the district, or in the case of the charter school,
27 the percentage of four year olds residing in the school district in
28 which the charter school is physically located, in each of the
29 categories specified in subdivision (b). The concentration preschool
30 grant shall be calculated by determining the amount by which the
31 sum of these percentages exceeds 50 percent and by multiplying
32 the base grant as specified in subdivision (c) by 35 percent and by
33 any positive percentage so determined. For purposes of calculating
34 the grant for a charter school physically located in more than one
35 school district, the Superintendent shall use the school district with
36 the highest number of four year olds residing in the school district
37 where the charter school is physically located. For a charter school
38 physically located in only one school district, the percentage of
39 four year olds in excess of 50 percent used to calculate
40 concentration preschool grants shall not exceed the percentage of

1 four year olds in excess of 50 percent of the school district in which
2 the charter school is physically located. If the charter school is
3 physically located in more than one school district, the charter
4 school's percentage of four year olds in excess of 50 percent used
5 to calculate concentration preschool grants shall not exceed that
6 of the school district with the highest percentage of four year olds
7 in excess of 50 percent within the charter school's physical
8 location.

9 (f) The Superintendent shall apportion funding to a school
10 district and charter school equal to the sum of the amounts
11 computed pursuant to subdivisions (c), (d), and (e), multiplied for
12 each school district and charter school by the number of
13 four-year-old children served by each.

14 SEC. 2. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.